Google Inc. et al v. Egger et al Doc. 444

JEFFREY S. BUCHOLTZ
Acting Assistant Attorney General
CARL J. NICHOLS
Deputy Assistant Attorney General
DOUGLAS N. LETTER
Terrorism Litigation Counsel
JOSEPH H. HUNT
Branch Director
ANTHONY J. COPPOLINO
Special Litigation Counsel
ALEXANDER K. HAAS
Trial Attorney
U.S. Department of Justice
Civil Division
Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, D.C. 20001
Phone: (202) 514-4782
Fax: (202) 616-8460

Attorneys for the Defendants

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION This Document Solely Relates To: *Al-Haramain Islamic Foundation et al. v. Bush, et al.* (07-CV-109-VRW)	)	No. M:06-CV-01791-VRW **STIPULATION EXTENDING PAGE LIMITATION FOR DEFENDANTS' REPLY IN SUPPORT OF SECOND MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT IN *Al-Haramain Islamic Foundation et al. v. Bush et al.*** Date: April 23, 2008 Time: 10:00 a.m. Courtroom: 6, 17th Floor Honorable Vaughn R. Walker

RECITALS

1. On March 14, 2008, Defendants filed their Second Motion to Dismiss or for Summary Judgment. *See* Dkt. No. 17 (07-CV-109).

2. On March 28, 2008, Plaintiffs filed an Opposition to Defendants' motion. *See* Dkt. No. 20 (07-CV-109).

Dockets.Justia.com

3. By Order dated February 7, 2008, the Court permitted Amicus briefs to be filed in connection with Defendants' motion by April 7, 2008. *See* Dkt. 15 (07-CV-109).

4. On April 7, 2008, two Amicus briefs were filed in connection with Defendants' motion. *See* Dkt. Nos. 440 and 442 (MDL 06-CV-1791).

5. Defendants require additional pages to reply to Plaintiffs' Opposition and the Amicus briefs filed in connection with Defendants' motion.

6. The Court's Order of February 7, 2008 granted the parties a page extension for their initial submissions to 40 pages; however, Defendants' initial motion did not exceed the 25-page limitation of the local rules.

7. Counsel for Defendants (Mr. Coppolino) conferred with counsel for the Plaintiffs (Mr. Eisenberg) and obtained Plaintiffs' consent to this page extension.

8. Consistent with ¶ 6 of the Court's Practice & Procedure Order, *see* Dkt. No. 370 (MDL 06-CV-1791), this stipulation is being filed five days before the due date of Defendant's reply (April 14, 2008). (The Amicus briefs were filed the evening of April 7, 2008.)

STIPULATION

The Plaintiffs and Defendants in *Al-Haramain v. Bush* (06-CV-109), through their respective counsel, hereby stipulate and agree that the page limitation for Defendants' Reply to Plaintiffs' Opposition to Defendants Second Motion to Dismiss or, in the Alternative, for Summary Judgment and Amicus briefs filed in connection with Defendants' pending motion, be extended to 25 pages.

A proposed Order for the Court's approval of this stipulation is attached hereto.

Dated: April 9, 2008

Respectfully Submitted,

JEFFREY S. BUCHOLTZ
Acting Assistant Attorney General

CARL J. NICHOLS
Deputy Assistant Attorney General

DOUGLAS N. LETTER
Terrorism Litigation Counsel

JOSEPH H. HUNT
Branch Director

s/ Anthony J. Coppolino
ANTHONY J. COPPOLINO
Special Litigation Counsel

s/ Alexander K. Haas
ALEXANDER K. HAAS
Trial Attorney
U.S. Department of Justice
Civil Division
Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, D.C. 20001
Phone: (202) 514-4782
Fax: (202) 616-8460
Attorneys for the Defendants

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, ALEXANDER K. HAAS, do hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this stipulation from the signatory listed below.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 9, 2008 in the City of Washington, District of Columbia.

By: *s/ Alexander K. Haas*
ANTHONY J. COPPOLINO
Special Litigation Counsel
ALEXANDER K. HAAS
Trial Attorney
U.S. Department of Justice
Civil Division
Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, D.C. 20001
Phone: (202) 514-4782
Fax: (202) 616-8460

Attorneys for the Defendants

By: *s/ Jon B. Eisenberg* per G.O. 45
JON B. EISENBERG
California Bar No. 88278 (jon@eandhlaw.com)
Eisenberg & Hancock LLP
1970 Broadway, Suite 1200 • Oakland, CA 94612
510.452.2581 – Fax 510.452.3277

Counsel for Plaintiffs Al-Haramain Islamic Foundation, Inc., Wendell Belew, and Asim Ghafoor

~~[PROPOSED]~~ ORDER

Pursuant to the foregoing stipulation, the page limitation for Defendants' Reply in Support of Defendants' Second Motion to Dismiss or for Summary Judgment is hereby extended to 25 pages.

IT IS SO ORDERED.

Dated: April 10, 2008.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Judge Vaughn R Walker

Hon. Vaughn R Walker
Chief Judge, United States District Court for the Northern District of California